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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **(OAKLAND COURTHOUSE)**

13 AMITABHO CHATTOPADHYAY and
14 VITALII TYMCHYSHYN, individually and
on behalf of all others similarly situated,

15 Plaintiffs,

16 v.

17 SIMPLE FINANCE TECHNOLOGY CORP.
and BBVA USA, F/K/A COMPASS BANK,

18
19 Defendants.
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Case No. 4:19-cv-01541-JST

The Honorable Jon S. Tigar

**~~[PROPOSED]~~ ORDER GRANTING
JOINT STIPULATION RE: PLAINTIFFS'
MOTION FOR ENTRY OF FINAL
JUDGMENT UNDER FED. R. CIV. P.
54(B) AND STAY OF CASE PENDING
APPEAL**

SAC Filed: June 2, 2020

[PROPOSED] ORDER

Pursuant to the Joint Stipulation Re: Plaintiffs' Motion for Entry of Final Judgment under Fed. R. Civ. P. 54(b) and Stay of Case Pending Appeal of plaintiffs Amitabho Chattopadhyay and Vitalii Tymchyshyn ("Plaintiffs") and defendants Simple Finance Technology Corp. and BBVA USA f/k/a Compass Bank ("Defendants"), dated December 8, 2020, and good cause appearing therefor, the Court finds that:

1. The Court's November 2, 2020 Order Granting Defendant BBVA's Motion to Dismiss Plaintiffs' Second Amended Complaint (ECF No. 102) is a final judgment as to Defendant BBVA; and


2. The Court determines, in its discretion, that there is no just reason to delay review of the Court's November 2, 2020 Order.

Therefore, the Court orders as follows:

1. Plaintiffs' Motion for Entry of Final Judgment (ECF No. 106) is granted; and
2. All proceedings in this Court are stayed until the Court of Appeals issues the mandate in Plaintiffs' appeal or as otherwise agreed to by the parties or ordered by this Court.

IT IS SO ORDERED.

Date: December 9, 2020


Honorable Jon S. Tigar
United States District Judge